

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Kerry Patrick Seifen
Luann Ellen Seifen
Debtor(s)

Bankruptcy Case No.: 18-21729-CMB
Issued Per Sep. 12, 2019 Proceeding
Chapter: 13
Docket No.: 96 – 62, 79, 80
Concil. Conf.: at

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated July 23, 2019 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on at , in .*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to it's administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☐ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: .
- ☒ H. Additional Terms: The secured claim of Wilmington Savings Fund Society (Claim No. 10) shall govern as to prepetition arrears, and the monthly post-petition payments shall be based on payment change declarations of record.

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

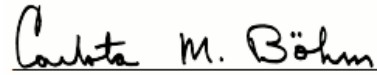
B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.


Carlota M. Böhm, Judge
United States Bankruptcy Court

Dated: September 17, 2019

cc: All Parties in Interest to be served by Clerk in seven (7) days

Certificate of Notice Page 4 of 5
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 Kerry Patrick Seifen
 Luann Ellen Seifen
 Debtors

Case No. 18-21729-CMB
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: jhel
 Form ID: 149

Page 1 of 2
 Total Noticed: 47

Date Rcvd: Sep 17, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Sep 19, 2019.

db/jdb +Kerry Patrick Seifen, Luann Ellen Seifen, 124 S. Jefferson Avenue,
 Canonsburg, PA 15317-1505
 cr +Borough of Canonsburg, Goehring, Rutter & Boehm, 437 Grant Street, 14th Floor,
 Frick Building, Pittsburgh, PA 15219-6101
 cr +Wilmington Savings Fund Society, FSB, doing busine, ShellPoint Mortgage Servicing,
 PO BOX 10826, GREENVILLE, SC 29603-0826
 14824341 +AAS Debt Recovery Inc., P.O. Box 129, Monroeville, PA 15146-0129
 14824342 +Angott Surgical, 88 Wellness Way, Washington, PA 15301-9720
 14824343 +Avelo Mortgage, 600 Las Colinas Blvd. E#, Irving, TX 75039-5616
 14824344 +BANK OF AMERICA, PO BOX 982238, EL PASO TX 79998-2238
 (address filed with court: Bank of America, 4161 Piedmont Pkwy, Greensboro, NC 27410)
 14878828 BCAT 2014-4TT, c/o Shellpoint Mortgage Servicing, PO Box 10826,
 Greenville, SC 29603-0826
 14860413 +Borough of Canonsburg, Goehring, Rutter & Boehm, c/o Jeffrey R. Hunt, Esquire,
 437 Grant Street, 14th Floor, Frick Building, Pittsburgh, PA 15219-6101
 14877971 CACH, LLC its successors and assigns as assignee, of General Electric Capital Corporation,
 Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
 14824352 +CITIFINANCIAL, BANKRUPTCY FORECLOSURE UNIT, 1000 TECHNOLOGY DRIVE, OFALLON MO 63368-2239
 (address filed with court: Citifinancial, 300 Saint Paul Pl, Baltimore, MD 21202)
 14824347 +Canonburg Hospital, P.O. Box 951880, Cleveland, OH 44193-0020
 14824350 +Chase Card, P.O. Box 15298, Wilmington, DE 19850-5298
 14824351 +Chase/Best Buy, P.O. Box 15298, Wilmington, DE 19850-5298
 14885900 +Clearview Federal Credit Union, c/o AAS Debt Recovery Inc, 2526 Monroeville Blvd Suite 205,
 Monroeville, PA 15146-2371
 14824353 Collection Service Ctr., Inc., P.O. Box 14931, Pittsburgh, PA 15234-0931
 14824358 +Fed Loan Serv, P.O. Box 61047, Harrisburg, PA 17106-1047
 14824359 +First Federal Credit Control, 24700 Chargin Blvd., Ste 205, Cleveland, OH 44122-5662
 14824360 +Greater Washington Road, P.O. Box 182504, Columbus, OH 43218-2504
 14824361 +IC Systems Collections, P.O. Box 64378, Saint Paul, MN 55164-0378
 14824362 +Kligensmith Health, P.O. Box 151, Ford City, PA 16226-0151
 14824363 +Klingensmith Health, P.O. Box 151, Ford City, PA 16226-0151
 14858843 PERITUS PORTFOLIO SERVICES II / NCEP, PO BOX 141419, IRVING, TX 75014-1419
 14824369 +SW PA Pulmonary, 997 North Main Street, Washington, PA 15301-2819
 14824366 +Santander Consumer, P.O. Box 961245, Fort Worth, TX 76161-0244
 14824367 +Shellpoint Mortgage Servicing, 55 Beattie Place, Suite 110, Greenville, SC 29601-5115
 14824370 +TD Bank USA/Target, P.O. Box 673, Minneapolis, MN 55440-0673
 14937316 U.S. Department of Education, C/O FedLoan Servicing, P.O. Box 69184,
 Harrisburg PA 17106-9184
 14824371 Vanguard, 18005231188, Hartford, CT
 14824373 +Washington Family Medicine, 95 Leonard Ave., Washington, PA 15301-3368
 14824374 +Washington Health Systems, 155 Wilson Ave., Washington, PA 15301-3336
 14864142 Wells Fargo Bank, N.A., PO Box 10438, MAC F8235-02F, Des Moines, IA 50306-0438

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

cr +E-mail/Text: GMFINANCIAL@EBN.PHINSOLUTIONS.COM Sep 18 2019 03:31:09
 Americredit Financial Services, Inc. DbA GM Financ, P.O Box 183853,
 Arlington, TX 76096-3853
 14834397 E-mail/Text: GMFINANCIAL@EBN.PHINSOLUTIONS.COM Sep 18 2019 03:31:09
 Americredit Financial Services, Inc., DbA GM Financial, P.O Box 183853,
 Arlington, TX 76096
 14824345 +E-mail/PDF: resurgentbknofications@resurgent.com Sep 18 2019 03:43:07 CACH LLC,
 4340 S. Mona Co. St., Unit 2, Denver, CO 80237-3485
 14824348 E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Sep 18 2019 03:40:51 Capital One,
 P.O. Box 85520, Richmond, VA 23285
 14824346 +E-mail/PDF: resurgentbknofications@resurgent.com Sep 18 2019 03:40:54 Cach, LLC,
 4340 S. Monaco St., Unit 2, Denver, CO 80237-3485
 14824349 +E-mail/Text: bankruptcy@cashcall.com Sep 18 2019 03:33:11 Cashcall Inc., 1 City Blvd. W,
 Orange, CA 92868-3621
 14824354 +E-mail/Text: bankruptcy_notifications@ccsusa.com Sep 18 2019 03:33:12
 Credit Collecction Service, P.O. Box 9134, Needham Heights, MA 02494-9134
 14824356 +E-mail/Text: bknotice@erchpo.com Sep 18 2019 03:32:15 Enhanced Recovery Co. L,
 8014 Bayberry Rd., Jacksonville, FL 32256-7412
 14824357 +E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Sep 18 2019 03:31:18 Fashion Bug/Soanb,
 1103 Allen Dr., Milford, OH 45150-8763
 14825020 +E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Sep 18 2019 03:42:53
 PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
 14824365 +E-mail/Text: Supportservices@receivablesperformance.com Sep 18 2019 03:33:10
 Receivables Performance, 20816 44th Ave. W, Lynnwood, WA 98036-7744
 14824368 +E-mail/Text: PFS.Analyst@stclair.org Sep 18 2019 03:32:49 St. Clair Hospital,
 1000 Bower Hill Road, Pittsburgh, PA 15243-1899
 14873161 E-mail/PDF: EBN_AIS@AMERICANINFOSOURCE.COM Sep 18 2019 03:41:19 Verizon,
 by American InfoSource LP as agent, PO Box 248838, Oklahoma City, OK 73124-8838

District/off: 0315-2

User: jhel
Form ID: 149

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Total Noticed: 47

Date Rcvd: Sep 17, 2019

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center (continued)

14824372 +E-mail/Text: wfmelectronicbankruptcynotifications@verizonwireless.com Sep 18 2019 03:30:41
Verizon, 500 Technology Drive, Saint Charles, MO 63304-2225
14864211 +E-mail/Text: bankruptcynotice@westlakefinancial.com Sep 18 2019 03:31:57
WESTLAKE FINANCIAL SERVICES, 4751 WILSHIRE BLVD, SUITE 100, LOS ANGELES CA 90010-3847
TOTAL: 15

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr Shellpoint Mortgage Servicing as servicer for Wilm
14824355 Ea
cr* +PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
14871671* ++AMERICREDIT FINANCIAL SERVICES DBA GM FINANCIAL, PO BOX 183853, ARLINGTON TX 76096-3853
(address filed with court: Americredit Financial Services, Inc., Dba GM Financial,
P.O. Box 183853, Arlington, TX 76096)
14824364 ##+Lifeline Sleep Centers, 2030 Ardmore Blvd., Pittsburgh, PA 15221-4652
TOTALS: 2, * 2, ## 1

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Sep 19, 2019

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on September 17, 2019 at the address(es) listed below:

David Z. Valencik on behalf of Debtor Kerry Patrick Seifen dvalencik@c-vlaw.com,
cylaw.ecf.dvalencik@gmail.com; aheath@c-vlaw.com; kmosur@c-vlaw.com; bhassain@c-vlaw.com; ssimmons@c-vlaw.com; mpeduto@c-vlaw.com; rfeil@c-vlaw.com
David Z. Valencik on behalf of Joint Debtor Luann Ellen Seifen dvalencik@c-vlaw.com,
cylaw.ecf.dvalencik@gmail.com; aheath@c-vlaw.com; kmosur@c-vlaw.com; bhassain@c-vlaw.com; ssimmons@c-vlaw.com; mpeduto@c-vlaw.com; rfeil@c-vlaw.com
James Warmbrodt on behalf of Creditor Shellpoint Mortgage Servicing as servicer for
Wilmington Savings Fund Society, FSB, doing business as Christiana Trust, not in its individual capacity, but solely as trustee for BCAT 2014-4TT bkgroup@kmlawgroup.com
Jeffrey R. Hunt on behalf of Creditor Borough of Canonsburg jhunt@grblaw.com,
cnoroski@grblaw.com
Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov
Ronda J. Winnecour cmecf@chapter13trusteedpa.com

TOTAL: 6